

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:09-CV-9-D

JEFFREY A. SLAYTON,

Plaintiff,

v.

RALEIGH-DURHAM AIRPORT
AUTHORITY,

Defendant.

ORDER

Raleigh-Durham Airport Authority has filed a motion to dismiss Jeffrey A. Slayton's amended complaint [D.E. 21]. The court has considered the amended complaint and the motion to dismiss under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 129 S. Ct. 1937, 1949–50 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007); Giarratano v. Johnson, 521 F.3d 298, 302 (4th Cir. 2008). The motion to dismiss [D.E. 21] is DENIED.

Raleigh-Durham Airport Authority also has moved to strike Slayton's sur-reply brief [D.E. 32]. The local rules of this court do not permit such sur-reply briefs. See Local Civil Rule 7.1, EDNC. The motion to strike is GRANTED.

SO ORDERED. This 1 day of June 2010.


JAMES C. DEVER III
United States District Judge